

MINUTES OF THE NHL
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 27, 2016

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

October 28, 2016 at 1:00 p.m.:

- a. Whiskeys 20, 20 Old Granite Street, Manchester, NH.
Restaurant Full Service With Lounge License #1516403 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:23, IV and VI – allowed a convicted felon to work longer than 60 days without obtaining a waiver.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Dates of violations: November 8, 2015 & April 4, 2016.
Case #s: 15-428-OF & 16-164-OF.
10/13/2016 - ASSENTED-TO MOTION TO CONTINUE FILED ON BEHALF OF THE LICENSEE.
10/14/2016 - MOTION GRANTED; HEARING TO BE RESCHEDULED IF SETTLEMENT IS NOT REACHED.

November 18, 2016 at 10:00 a.m.:

- b. Pedraza's Mexican Restaurant, 44 Central Square, Keene, NH.
Restaurant Full Service With Lounge License #1375803 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an under-aged individual.
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage.
Date of violations: January 9, 2016.
Case #: 16-24-OF.
ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT; GRANTED SEPTEMBER 2, 2016.

December 2, 2016 at 10:00 a.m.:

- c. Ichiban Japanese Steak House, 118 Manchester Street, Concord, NH.
Restaurant Full Service With Lounge License #1478003 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: February 11, 2016.
Case #: 16-44-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

- a. Newport Veterans Club, 118 John Stark Highway, Newport, NH.
Veterans Club License #16639 issued pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22/Liq. 501.06 – failed to restrict access to gain entrance to a private club.
Date of violation: July 22, 2016.

Case #: 16-268-OF.

ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT; GRANTED SEPTEMBER 2, 2016.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

- b. Pacific Fusion Restaurant, 356 DW Highway, Merrimack, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1442203 issued pursuant to RSA 178:21.
Cited for violation of RSA 179:17 – allowed the sale and consumption of alcoholic beverage on the premise after the expiration of the serving hour.
Date of violation: September 24, 2016.
Case #: 16-317-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 7-Eleven, Inc. DBA 7-Eleven #37389H, 1515 White Mountain Highway, Tamworth, NH 03886.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3348747 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 10/21/2016.
COMMISSION APPROVED.
- b. Boys & Girls Club of Souhegan Valley, 56 Mont Vernon Street, Milford, NH 03055.
To be issued an Off-Sale, Special Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:17, II.
Event date: 11/19/2016.
COMMISSION APPROVED.
- c. Deciduous Brewing Co. LLC, 12 Weaver Street, Suite B, Newmarket, NH 03857.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 11/5/2016.
COMMISSION APPROVED.
- d. Gauthier, Mark DBA Loud Pipes Saloon, 192 Main Street, Somersworth, NH 03878.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1531603 pursuant to RSA 178:21.
30-Day Temporary License issued 10/18/2016.
COMMISSION APPROVED.
- e. Greenland International Campground LLC, 185 Court Street, Exeter, NH 03833.
To be issued Caterer-Off-Site License #1288134 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 10/19/2016.
COMMISSION APPROVED.
- f. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #80431 pursuant to RSA 178:15.
Manufacturer: McAsulan Brewery, Canada .
COMMISSION APPROVED.
- g. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #80531 pursuant to RSA 178:15.
Manufacturer: Black Sheep Brewery, Canada.
COMMISSION APPROVED.
- h. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #80631 pursuant to RSA 178:15.
Manufacturer: Karlsberg Brauerei Brewery, Germany.
COMMISSION APPROVED.
- i. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #80731 pursuant to RSA 178:15.
Manufacturer: St. Peter's Brewery, United Kingdom.
COMMISSION APPROVED.

- j. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #80831 pursuant to RSA 178:15.
Manufacturer: Protivin Pivovar Brewery, Czech Republic.
COMMISSION APPROVED.
- k. Raman Corp. DBA Discount Beverage Depot, 682 Eastman Road, Center Conway, NH 03813.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3348047
pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 10/21/2016.
COMMISSION APPROVED.
- l. Rok Imports, Inc. 8500 Steller Drive, Culver City, CA 90232.
To be issued Liquor and Wine Vendor License #118545 pursuant to RSA 178:9.
COMMISSION APPROVED.
- m. SPC Transport Co., 224 West Hardscrabble Road, Auburn, ME 04210.
To be issued Carrier-Beverage/Wine/Liquor License #756916 pursuant to RSA 178:14.
COMMISSION APPROVED.
- n. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 11/20/2016.
COMMISSION APPROVED.
- o. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 1/15/2017.
COMMISSION APPROVED.
- p. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 2/19/2017.
COMMISSION APPROVED.
- q. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 3/26/2017.
COMMISSION APPROVED.
- r. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 4/20/2017.
COMMISSION APPROVED.
- s. VG Wings LLC DBA Buffalo Wild Wings Grill and Bar #4,
310 DW Highway, Nashua, NH 03060.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1529003
pursuant to RSA 178:21.
30-Day Temporary license issued 10/18/2016.
COMMISSION APPROVED.
- t. Weiss, Oliver, 19 Old Route 28, Ossipee, NH 03864.
To be issued Liquor and Wine Representative Off-Premise Wine and Liquor License #608335
pursuant to RSA 178:10.
COMMISSION APPROVED.

5. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

6. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 24, 2016: 1,160

- a. Hammler Wine Corp. DBA Joullian Vineyards, 20300 Cachague Road, Carmel Valley, CA 93924.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.
- b. Trespass Vineyards, Inc., 4708 Silverado Trail, Calistoga, CA 94515.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. American Citizens of Polish Descent of Newmarket, NH, Inc.,
18 Central Street, Newmarket, NH 03857.
Social Club On-Premise Cocktail Lounge License #10601 licensed pursuant to RSA 178:22, V(h).
Date petition received: 10/14/2016.
Requested approval for authorization of other area, to wit, an outside, parking lot area with a capacity of 40 for event date October 23, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Copper Beach Winery LLC, 146 Londonderry Turnpike, Unit 23, Hooksett, NH 03106.
Wine Manufacturer Off-Premise Wine Only License #564830 licensed pursuant to RSA 178:8.
Date petition received: 10/20/2016.
Requested approval for authorization of other area, to wit, Town of Amherst Farmers' Market, Amherst Garden Center, 5305 Route 101, Amherst, NH every Sunday between 10:00 am and 1:00 pm from November 6, 2016 to May 7, 2017 pursuant to RSA 178:24 and Liq. 404.05. **Town of Amherst has approved the sampling of alcoholic beverages at this Open Air Farmers' Market.**
COMMISSION ACKNOWLEDGED.
- c. Gauthier, Mark DBA Loud Pipes Saloon, 192 Main Street, Somersworth, NH 03878.
Restaurant On-Premise Beverage/Wine/Liquor License #1531603 licensed pursuant to RSA 178:21.
Date petition received: 10/18/2016.
Requested approval for authorization of other area, to wit, an outside deck area with a capacity of 41 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Hobbs Tavern & Brewing Company LLC, 2415 NH Route 16, West Ossipee, NH 03890.
Brew Pub On-Premise Cocktail Lounge License #2002115 licensed pursuant to RSA 178:13.
Date petition received: 10/18/2016.
Requested approval for authorization of other area, to wit, an outside, tented area with a capacity of 125 for event date October 15, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Peyton Place Restaurant at The Mann Tavern LLC, 4545 NH Route 10, Orford, NH 03777.
Restaurant On-Premise Beverage/Wine/Liquor License #1204403 licensed pursuant to RSA 178:21.
Date petition received: 10/17/2016.
Requested a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five days a week from October 30, 2016 to April 18, 2017 as indicated in a letter dated October 16, 2016.
COMMISSION ACKNOWLEDGED.
- f. Tandy Stephens, Inc. DBA Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine/Liquor License #1404103 licensed pursuant to RSA 178:21.
Date petition received: 10/17/2016.

Requested approval for an outside area, to wit, an outside atrium area at 7 Eagle Square, Concord, NH with a capacity of 206 on October 30, 2016 from 6:00 pm to 1:00 am sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- g. VG Wings LLC DBA Buffalo Wild Wings Grill and Bar #4,
310 DW Highway, Nashua, NH 03060.
Restaurant On-Premise Beverage/Wine/Liquor License #1529003 licensed pursuant to RSA 178:21.
Date petition received: 10/18/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 46 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- h. VG Wings LLC DBA Buffalo Wild Wings Grill and Bar #4,
310 DW Highway, Nashua, NH 03060.
Restaurant On-Premise Beverage/Wine/Liquor License #1529003 licensed pursuant to RSA 178:21.
Date petition received: 10/18/2016.
Requested approval for authorization of other area, to wit, an inside patio area with a capacity of 42 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

11. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

12. NOTIFICATION OF COMPLIANCE CHECKS:

None

13. COMMISSION DECISIONS PENDING AFTER HEARING:

In accordance with Title XIII and Administrative Rule, Liq. 208.02, the New Hampshire Liquor Commission will hold an informational licensing hearing on the liquor license application of The Big Easy LLC DBA Circle 9 Ranch, 39 Windymere Drive, Epsom, NH for an on-premises full service restaurant and cocktail lounge liquor license. The hearing will be held on Friday, September 9, 2016 at 2:00 pm to be conducted at the Epsom Public Library, 1606 Dover Road, Epsom, NH 03234. Any interested member of the public may testify and present evidence in favor of or against the applicant. The Commission will announce procedural guidelines at the hearing. Testimony by the public will be allowed in the order in which they sign up to speak and will be relevant to the prospective licensee and the local governing authority. The commission may question speakers to clarify their positions. There shall be no cross examination or rebuttal testimony. Written testimony shall be accepted only if signed and received prior to the close of the hearing. Persons wishing to testify are urged to coordinate their testimony to avoid unnecessary duplication or repetition of testimony. Authority for this hearing is NH RSA Title XIII and Administrative Rule, Liq. 208.02 per order of Joseph S. Plaia, Chief Hearings Officer, New Hampshire Liquor Commission, 50 Storrs Street, Concord, NH 03301, Tel. # 603-230-7015.

THE INFORMATIONAL HEARING WAS HELD AT EPSOM PUBLIC LIBRARY, 1606 DOVER ROAD, EPSOM, NH ON SEPTEMBER 9, 2016.

THIS HEARING COMMENCED SEPTEMBER 9, 2016 AND WAS EXTENDED AT THE AGREEMENT OF ALL PARTIES AND ATTENDEES. THE LICENSEE WILL GIVE TESTIMONY ON SEPTEMBER 30, 2016. THE HEARING WAS CONTINUED AT THE OFFICES OF THE LIQUOR COMMISSION ON SEPTEMBER 30, 2016. LICENSEE FORREST SELL GAVE TESTIMONY CONCERNING HIS OWNERSHIP AND MANAGEMENT OF THE PROPERTY IN QUESTION. CHIEF HEARINGS OFFICER JOSEPH PLAIA

REQUESTED THE FOLLOWING DOCUMENTATION: ANY CORRESPONDENCE OR RULINGS ISSUED BY THE NH DEPARTMENT OF JUSTICE TO THE LICENSEE RELATIVE TO THE PROPERTY; AND A LIST OF CALLS FOR SERVICE MADE TO THE PROPERTY FROM MAY 8, 2014 TO THE PRESENT BY THE EPSOM, NH POLICE DEPARTMENT, TO BE SUBMITTED TO OR OBTAINED BY THE DIVISION OF ENFORCEMENT & LICENSING WITHIN TEN (10) DAYS.

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

- a. Firestone Walker LLC, PO BOX 645, Solvang, CA 93464.
Beverage Vendor License #54731 licensed pursuant to RSA 178:15.
Date petition received: 10/13/2016.
Requests approval of Firestone Walker XX Anniversary Ale with an alcohol content of 12.8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
COMMISSION APPROVED.
- b. Pabst Brewing Company LLC, 121 Interpark Boulevard, Suite 300, San Antonio, TX 78216.
Beverage Vendor License #79531 licensed pursuant to RSA 178:15.
Date petition received: 10/13/2016.
Requests approval of Vermont Cider Co. Wassail with an alcohol content of 6.8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
COMMISSION APPROVED.
- c. Pabst Brewing Company LLC, 121 Interpark Boulevard, Suite 300, San Antonio, TX 78216.
Beverage Vendor License #79531 licensed pursuant to RSA 178:15.
Date petition received: 10/19/2016.
Requests approval of Vermont Cider Co. Cerise with an alcohol content of 6.9% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
COMMISSION APPROVED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Boys & Girls Club of Central NH,
Grappone Conference Center, 70 Constitution Drive, Concord, NH 03301.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/20/2016.
Recommendation: Expedited approval.
Commission approved on 10/19/2016.
COMMISSION ACKNOWLEDGED.
- b. Seacoast Eat Local, Applecrest Farm Bistro, 33 Exeter Road, Hampton Falls, NH 03844.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/24/2016.
Recommendation: Expedited approval.
Commission approved on 10/14/2016.
COMMISSION ACKNOWLEDGED.
- c. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 10/23/2016.
Recommendation: Expedited approval.
Commission approved on 10/21/2016.
COMMISSION ACKNOWLEDGED.